

## Table of Contents

<b>Writs and Rights</b> .....	434
<b>It is Written</b> .....	435
<b>Who Are We?</b> .....	436
➤ Nothing Fuzzy About It .....	436
➤ Tabula Rasa .....	436
➤ Behind the Bookshelf .....	436
<b>Endnotes</b> .....	437

*See Appendix CON – Writ & Construction Example*

*See Appendix PAT1 – Power Activations Tables 1 – Power Activation Costs*

*See Appendix PAT2 – Power Activations Tables 2 – Normal Sequence of Power Activations*

*See Appendix PAT3 – Power Activations Tables 3 – Scenes, Planets & Stars*

*See Appendix WR – Writ Examples, Land Grant Writ, Naturalization*

*“The cause returned is, the slave absented himself, and departed from his master’s service, and refused to return and serve him during his stay in England; whereupon, by his master’s orders, he was put on board the ship by force, and there detained in secure custody, to be carried out of the kingdom and sold. So high an act of dominion must derive its authority, if any such it has, from the law of the kingdom where executed. A foreigner cannot be imprisoned here on the authority of any law existing in his own country: the power of a master over his servant is different in all countries, more or less limited or extensive; the exercise of it therefore must always be regulated by the laws of the place where exercised.*

*The state of slavery is of such a nature, that it is incapable of now being introduced by Courts of Justice upon mere reasoning or inferences from any principles, natural or political; it must take its rise from positive law; the origin of it can in no country or age be traced back to any other source: immemorial usage preserves the memory of positive law long after all traces of the occasion; reason, authority, and time of its introduction are lost; and in a case so odious as the condition of slaves must be taken strictly, the power claimed by this return was never in use here; no master ever was allowed here to take a slave by force to be sold abroad because he had deserted from his service, or for any other reason whatever; we cannot say the cause set forth by this return is allowed or approved of by the laws of this kingdom, therefore the black must be discharged.”*

– Lord Mansfield (William Murray, 1<sup>st</sup> Earl of Mansfield), King’s Bench, 1772, judgment on Writ of Habeas Corpus issued in the matter of *Somerset v Stewart*, 98 ER 499 <sup>1</sup>

**Writs and Rights:** *Somerset* was a major test of slavery in the Courts of Justice, Kings Bench. Mr. Somerset was freed, as no law of the Kingdom supported his detention. Slavery was abolished in England by the Slavery Abolition Act of 1833.

- ✓ In later rulings and commentary however, Lord Mansfield seemed to equivocate and back away from his ruling in *Somerset* creating confusion as to its precedential value at Common Law.

However, there were enormous humanitarian and economic issues and repercussions with how the 1833 abolition was accomplished; chiefly that *slave owners* were compensated by the government for their freed slaves (making many of them very rich) and second, that the freed slaves were required to continue working – without compensation – for their prior owners for a period of time after.

- ✓ The freed slaves were neither compensated by their former owners or the government for their lifetime of slave labor, thus entrenching for generations wealth disparity between former owners, former slaves, and their descendants.
- ✓ Further, the Act exempted slaves in territories owned by the East India Company, where slavery was finally abolished by the Indian Slavery Act of 1843 (probably because competitors complained that slaves gave the East Indian Company an unfair advantage).

- ✓ Finally, the British did not abolish debt-bondage, such that many slaves freed instead became debt-bonded, indentured servants to their former masters.

There were two paths to go in ending slavery; the rule of law (e.g., England) or the rule of force (e.g., The U.S. Civil War). We know how slavery ended in the U.S. where it was *entrenched* as positive law in the highest legal document of the nation, The Constitution; the drafters were certainly aware of the 1772 *Somerset* opinion as the case garnered great notoriety.

- ✓ Because of the way the issue was resolved in the United States – the Civil War – the slave holders were not compensated for emancipation of the slaves (the government did not ‘purchase’ the slaves to free them) and the South was ruined, not only in capital losses, but also male population loss in war casualties (the legendary impetuous for Western Frontier mail-order brides) and infrastructure damage. Some call that justice. The slaves were also not compensated, nor was the issue likely raised at that time. Many of them ended up working for the same masters, but under slightly different arrangements (e.g., sharecropping).

Carl Sagan in *Cosmos* expressed the view that Athenian ‘democracy’ was a hypocrisy in view of limited participation and Athenian slavery. This was not a new or novel view, this same idea must have occurred to intellectuals when the U.S. Constitution was ratified with a provision allowing slavery to exist, “It’s like déjà vu all over again,” as Yogi Barra said. Thus, it might also seem, in the macro-historical sense, or ‘grand scheme of things,’ an epic cycle of pragmatic ethics completed when democracy reasserted in the West and clashed with and eventually abolished the age old institutions of slavery. The Athenian issue was finally resolved 2,000 years later, where democratic republic exist, slavery is a dark hypocrisy:

- ✓ The only way to say that a democracy claiming to have equal rights before the law and basic humanity can have slavery is to say that slaves are not humans, not citizens. This is the basis of modern racism in the U.S. (and elsewhere most likely); it also requires willful ignorance and abrogation of empirical evidence to the contrary.
- ✓ Whenever someone says that X would not happen anymore because people’s beliefs and/or the social system has changed, *that is pragmatic ethics* by implication.

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*“Red white and blue, gaze in your looking glass,  
You’re not a child anymore,  
Red, white, and blue, the future is all but past,  
So lift up your heart, make a new start, And lead us away from here”*

– Styx, “Suite Madame Blue,” (1975)

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**It is Written:** A Writ is a formal written document (usually legal) which expresses the intent of the issuer (usually one with sovereign or judicial authority) in the form of a command or mandatory process (a warrant is a type of writ, and is more commonly known and usually associated with criminal judgment, whereas writ continues to be used in civil judgment and appellant procedure).

A Writ must also necessarily contain the identity of the issuer and by what authority it is issued. From that may be deduced larger issues, such as the basis of that authority (hereditary, popular,

derived), the philosophical and social beliefs of the issuing authority and those supporting the authority (actions of authority are necessarily an expression of those backing the authority); and an identity of who we think we are, what kind of people are we?

**Who Are We?:** A Writ is an official Interpretation issued by a position using an activation of the Culture Power for the purpose of Issue Writ, which, through the use of the inherent sovereign power of the issuing position, develops and/or exercises a cultural ability that tends to define or becomes part of the overall cultural identity of the ruling native population type of the position (that is, does not include conquered or converted population and may not include naturalized population).

- ✓ For example, if the members of a nation (or at least those supporting the current state) proactively tend to think of themselves as ‘a caring, compassionate, charitable’ people, then the actions of the state will eventually reflect it (or else the state loses legitimacy) with the development of organizations and/or an exercise of authority that is compassionate, caring, and/or charitable (in their view).

When the two factors come together – 1) the internalized sociocultural identity of those who grant and support the authority and 2) the exercise of the sovereign power of the state – that is the essence of the Writ Interpretation.

- **Nothing Fuzzy About It:** The *issuance* of a Writ does not require the actualization of a Fuzzy Group. All that is required is the activation of the Culture Power for the purpose of Issuing Writ costing two Acts. Additionally, as described later, a Writ may not be used as an Interpretation to satisfy any of the Power Activation Interpretation requirements *on the Regular Turn it is issued*.
- **Tabula Rasa:** Activation of the Culture Power for the purpose Introduce Writs does not depend on Constructural Elements and thus cannot fail due to inactive Constructural Elements. One activation of the Culture Power for the purpose of Issue Writs allows a position to issue a number of Writs equal to or less than the current number of undisrupted Government Titles. This is not the same as activation of Writs which are limited by the number of Fuzzy Groups that a position can, and is willing to, actualize in a Regular Turn and activation of the Culture Power for the purpose of Issue Writs is not required to activate established Writs.
- **Behind the Bookshelf:** As mentioned in *A Bustle In Your Hedgerow*, 2 Culture, pp. 365-366, *supra*, a Writ improves the chances of exposing the Aspect with which it is associated, especially on Regular Turns where the Culture Power is activated to Expose Aspects and a Writ associated with that Aspect is also activated. I can see you scheming now...
  - ✓ “Before we had pundits and memes and Twitter rants, books were the chief vessel for sharing new ideas. Some of these books have helped sparked [sic] full on rebellions, with people marching in the streets and overthrowing entire governments. Some have inspired major policy changes, or shifts in cultural perception. All of them have made a profound difference in the world. And yes, I know that Thomas Paine might not carry quite the same punch these days. But these are the books that have inspired people to revolt for generations. Some of them are frightening relevant to our modern world, but all of them prove that the written word can make a real, tangible difference.” – Charlotte Ahlin, “10 Books That Inspired Revolution, Because The Written Word Is A Powerful Tool,” *bustle.com*, November 11, 2016.

*“Those who are out there protesting believe a grievous religious injustice has been done. Those at the top may have other reasons, those following do not.... However, one thing is a fact: the complete failure of the government to establish the writ of the state.”*

– Yasmeen Aftab Ali, “Cost of Politically Expedient Procrastination,” Pakistan Today, November 27, 2017 <sup>2</sup>[Definition]

## Endnotes.

<sup>1</sup> Citation: See, <http://www.commonlii.org/int/cases/EngR/1772/57.pdf>.

<sup>2</sup> Citation & Commentary: The ‘Writ of the State’ seems to be an elusive term peculiar to Pakistan, or at least to Pakistan’s media, as I have found usage in articles from 2014, 2015, and 2017 in Pakistani media but nowhere else. The nearest to a definition that I have found – being on the outside looking in through a peephole – is the following:

- ✓ “Writ is like respect, it has to be commanded, not demanded. Unfortunately, the state in Pakistan has been weakened to an extent that it has become a burden. Only the writ of the khakis is intact; that is why their role keeps expanding.... In a democratic order, writ of the state is established with the support of the masses.... In non-democratic set-ups, coercion is used to establish the writ of the state, but in return the basic needs of the citizens still have to be met.... Manipulated democracy is the worst form of government. Politicians who gain power through tainted ballots cannot establish the writ of the state as they misuse the same apparatus to stuff the boxes.... An abusive state has neither writ nor respect; service to the people is the only way to respectability.” – Dr. Farid A. Malik, “The Writ of the State,” The Nation (PK), October 7, 2015.
- ✓ Although Dr. Malik compares writ to respect, in the end he treats them separately, thus indicating that while they have the same properties, writ is not synonymous with respect; writ of the state then appears to mean some sort of legitimacy in Dr. Malik’s analysis.